

Hearing Date: July 24, 2019

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF PUERTO RICO

In re:

THE FINANCIAL OVERSIGHT AND  
MANAGEMENT BOARD FOR PUERTO RICO

as representative of

THE COMMONWEALTH OF PUERTO RICO,

Debtor.<sup>1</sup>

PROMESA

Title III

Case No. 17-BK-03283 (LTS)

JOINDER OF FINANCIAL GUARANTY INSURANCE  
COMPANY TO AMBAC ASSURANCE CORPORATION'S REPLY IN FURTHER  
SUPPORT OF ITS MOTION FOR ENTRY OF ORDER AUTHORIZING DISCOVERY  
UNDER BANKRUPTCY RULE 2004 CONCERNING PRIFA RUM TAXES

[Dkt. # 8029]

Financial Guaranty Insurance Company ("**FGIC**"), by and through its attorneys Rexach & Picó, CSP and Butler Snow LLP, files this joinder (this "**Joinder**") in support of *Ambac Assurance Corporation's Reply in Further Support of Its Motion for Entry of Order Authorizing Discovery Under Bankruptcy Rule 2004 Concerning PRIFA Rum Taxes* [Dkt. # 8029] (the "**Reply**").<sup>2</sup> In support of this Joinder, FGIC respectfully states as follows:

<sup>1</sup> The Debtors in these Title III Cases, along with each Debtor's respective Title III case number and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); and (iv) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

<sup>2</sup> Capitalized terms used but not otherwise defined herein shall have the meaning ascribed to such terms as in the Motion.

1. FGIC provides financial guaranty insurance covering in excess of \$1.17 billion in principal amount of bonds outstanding and issued by the Commonwealth of Puerto Rico and various Commonwealth instrumentalities. In addition, FGIC insures approximately \$357 million in principal amount of bonds issued by the Puerto Rico Infrastructure Financing Authority (“*PRIFA*”) secured by a stream of rum taxes. Rather than propounding substantially identical discovery as Ambac Assurance Corporation regarding the PRIFA Rum Taxes, FGIC previously filed the *Joinder of Financial Guaranty Insurance Company to Ambac Assurance Corporation’s Motion for Entry of Order Authorizing Discovery Under Bankruptcy Rule 2004 Concerning PRIFA Rum Taxes* [Dkt. # 7676].

2. Having joined in the underlying Motion, FGIC now joins in the arguments set forth and relief requested in the Reply in support of the Motion.

3. Accordingly, FGIC respectfully requests that the Court grant the Motion and require the Respondents and other third parties to provide FGIC with any information produced to Ambac pursuant to any order granting the Motion and to participate in any related examinations or other proceedings.

Dated: July 16, 2019

Respectfully submitted,

REXACH & PICÓ, CSP

By: María E. Picó

María E. Picó  
USDC-PR 123214  
802 Ave. Fernández Juncos  
San Juan PR 00907-4315  
Telephone: (787) 723-8520  
Facsimile: (787) 724-7844  
E-mail: mpico@rexachpico.com

BUTLER SNOW LLP

By: Martin A. Sosland

Martin A. Sosland (*pro hac vice*)  
5430 LBJ Freeway, Suite 1200  
Dallas, TX 75240  
Telephone: (469) 680-5502  
Facsimile: (469) 680-5501  
E-mail: martin.sosland@butlersnow.com

J. Mitchell Carrington (*pro hac vice*)  
1020 Highland Colony Parkway, Suite 1400  
Ridgeland, MS 39157  
Telephone: (601) 985-2200  
Facsimile: (601) 985-4500  
E-mail: chris.maddux@butlersnow.com  
mitch.carrington@butlersnow.com

Jason W. Callen (*pro hac vice*)  
150 3<sup>rd</sup> Avenue, South, Suite 1600  
Nashville, TN 37201  
Telephone: (615) 651-6774  
Facsimile: (615) 651-6701  
E-mail: jason.callen@butlersnow.com

*Attorneys for Financial Guaranty Insurance  
Company*